

Exhibit 4

UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

IN RE: . Case No.: 03-10945 (MFW)
. .
. 821 North Market Street
FLEMING COMPANIES, INC. et al. Wilmington, Delaware 19801
. .
Debtor, .
. Date: July 26, 2004
..... Time: 9:46 a.m.

TRANSCRIPT OF OMNIBUS HEARING
BEFORE HONORABLE MARY F. WALRATH
UNITED STATES BANKRUPTCY COURT JUDGE

APPEARANCES:

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1 about how --

2 THE COURT: And they can trace what?

3 MR. SPRAYREGEN: Your Honor, the PCT has many assets
4 other than straight cash. So they're concerned that the ins and
5 outs and if at some point the rules of tracing would be
6 interrupted which is sort of the reason that the Court denied the
7 preliminary injunction in the first place because we weren't
8 getting there. We were just essence preserving the status quo.
9 I can --

10 THE COURT: I'll look at the language.

11 MR. SPRAYREGEN: Okay. Thank you. Your Honor, there
12 was an objection by the United States on behalf of the U.S. DA,
13 the IRS and the DCA. We provided some clarifying language with
14 respect to some issues they had with respect to interest and the
15 application of the proposed releases only applying to people who
16 voted in favor of the plan or -- in favor of the plan or entities
17 that had voted in favor of the plan. The item only applies to
18 agencies as opposed to the entire United States government.

19 Now, Your Honor, Domino Foods had a reclamation
20 objection and we resolved their administrative claim in an agreed
21 amount of \$65,000 and change, and preserved those post-petition
22 deliveries made in the ordinary course of business and other
23 rights were preserved. That's agenda item 19G and objection
24 chart 36.

25 Your Honor, Jackson Capital objected as a lead